

in the long run we have got the debt to pay; it is a fiscal drag on the economy.

Secondly, it is a form of dissaving. When the government borrows the money it is just like an individual borrowing money. He is dissaving rather than actually saving and that takes away from the savings pool that we have got for capital formation and building the productive assets of this country, and over the long run it means we are not as productive as we otherwise would be.

Then, finally, there is a moral aspect, which I just mentioned. When we charge our excesses to the deficit, we are charging it to the next generation, namely, our children and grandchildren. No way around it. Everybody's recognized that moral aspect in the past. This is an intergenerational thing. They will not only have to pay our Social Security deficit and Medicare deficit, they will also have to pick up the accumulated debts, the other things that we chose not to pay in our time because of this budget.

Mr. COOPER. The gentleman is an excellent economist, and another great economist is our own Federal Reserve chairman, Alan Greenspan, who said, History suggests that an abandonment of fiscal discipline will eventually push up interest rates, so deficits do matter, crowd out capital spending, lower productivity growth, and force harder choices on us in the future.

We should be listening to Alan Greenspan. We should be listening to the gentleman from South Carolina and the gentleman from Virginia because deficits do matter. They are hurting this economy, and we need to return to the fiscal discipline that we saw in the previous administration and live within our means because our Nation is embarking on long-term structural deficits today that we may never be able to erase.

Mr. SPRATT. Mr. Speaker, on that point we conclude. I thank the gentlemen for participating.

THE BUDGET

The SPEAKER pro tempore (Mr. MURPHY). Under the Speaker's announced policy of January 7, 2003, the gentleman from Georgia (Mr. KINGSTON) is recognized for 60 minutes as the designee of the majority leader.

Mr. KINGSTON. Mr. Speaker, I want to thank my Democratic colleagues for their comments on the budget. I think that their ideas are useful and good. I think they also know, and although they were not really talking about it, that we are at war. America has been attacked. America needs to respond. At this point, America continues to be the world leader.

It is interesting that when people say, well, why do we have 37,000 troops in South Korea? Well, if we talk to the folks who live in South Korea or in China or Japan, and say maybe we should move those 37,000 folks, bring

them on home. Well, no, no, no. If we do that, then there is world instability, particularly in this region of the world which is stable right now. Do not pull them out, and yet America has to respond when North Korea, largely because of the inept policies of the previous administration, goes on an accelerated path to nuclear weapon development, then America has to step in there.

Unfortunately, so many of these things cost a lot of money. Thirty-seven thousand troops in the Korean peninsula, that is very expensive; and we have troops in Afghanistan. We have troops in the Balkans still; and of course, we have troops right now in Kuwait and in the Middle East.

I think as much as none of us want a deficit, I believe all of us, even the doves in this body, even the folks who feel like France and Germany are right, I think that they would admit that we have to defend ourselves, and so we do have a deficit budget. I do not like it anymore than anybody else, and I know the gentleman from Iowa (Mr. NUSSLE), the chairman of the Committee on the Budget, is going to do everything he can to bring down the deficit and move us back into surplus.

In the meantime, Mr. Speaker, it is more important for America to survive; and I think as I have seen so many of our troops from Fort Stewart deployed, the third infantry division which I am proud to be wearing their emblem tonight, I think we have got to keep in mind these soldiers are out there in the foxholes for our freedom and our security, and they need great equipment. They need modern equipment. They need readiness in all areas of the globe. So our budget addresses is.

In fact, our budget, which for fiscal year 2004, will be about \$2.2 trillion. That is a 4 percent increase. I would like to, frankly, see it decreased, but again, with the world situation, sometimes we cannot control this.

About 5 percent of that increase comes directly because of military, and then in the other categories, not all of them, there are a lot of reductions; but there is about a 3 percent increase, and that is comparable to the average family budget.

Mr. Speaker, I had an opportunity to meet the Chair's family this last weekend, and my family, some of them were with us and some of them were not; but Libby and I have four children, and one thing about it, when a person is raising kids, they never have quite enough money. They have to buy. They do not begrudge it. They have got to buy their clothes and school supplies, and then if they play sports, they have got to buy sports equipment; and what I found out, much to my chagrin, is that if John Kingston is playing football, he cannot use the same cleats for soccer and baseball, whereas the Chair and I, Mr. Speaker, had one pair of cleats fit all.

In fact, I went back to my elementary school baseball picture, and half

the boys on the baseball team were barefooted. But not so today. These kids today have to have \$60 and \$70 of tennis shoes and that is part of being a family these days. We have got all those expenses and then doggone it, we save up a little money and say, well, we are going to sneak on down to Florida, spend the weekend in Daytona, have some fun. Well, the washer breaks or we have got to do something as glorious as buy a new set of tires for our car or we have got to do something else that is not as much fun, but it is essential to spend money on.

That, Mr. Speaker, is what President Bush has done with this budget. He said there is a lot of things out there that we want to have, but we are not going to be able to do; but there are other things out there that we need to do, and we are going to do that.

One of these things, Mr. Speaker, along with the troops, is trying to get jobs going because nothing will turn the economy around more than jobs.

I am not sure where the Democrats in this body go to school. I am sure they go to some good public schools and some good private schools; but, Mr. Speaker, somehow they failed in economics and history because economics and history will show us that President Kennedy and President Reagan reduced taxes; and when they did, the economy responded and created more jobs, and more revenue came in. In fact, it doubled in these cases; and if we just think about it for a minute, it makes sense.

Under the Bush tax reduction, 92 million Americans will get about a \$1,000 tax reduction; 34 million American with children will get \$1,400 in their pocket; 6 million single mothers will get \$541 in their pocket; and 13 million elderly taxpayers will get \$1,384 in their pocket.

If someone puts \$1,000 in my pocket, I am going to try to spend some of it, and I am going to try to save some of it. I want to save some for my kids' college education, want to save some for my own retirement; but also I am more likely going out and maybe buy that new shirt that I know I have been needing to buy or maybe buy something for the house that I needed to get, get a new crock pot for the kitchen or something like that.

When I do that, small businesses will respond. They will say, hey, look, more consumers are buying, they have got more money in their pocket, let us put on a new shelf of inventory. When we do that, hey, we need a new salesclerk to help us move this inventory. When the new salesclerk comes, well, suddenly we have got somebody who may have been on welfare before who is now working, and then they are paying taxes; and before we know it, the revenue to the local government, to the State government and the Federal Government goes straight up. That is the idea behind the tax reduction; and, Mr. Speaker, I believe that is one reason why we need to pass it and pass it now.

The Democrats' thinking on this model is, okay, we will vote for the tax

cut, but we want to postpone it. We do not want it, so married couples should not be having the marriage tax penalty, and we agree with that, but we do not want that to take place for 4 or 5 years. Well, hey, if it is right, do it today; and that is what the Bush plan is, is to accelerate these things.

But I think this is part of our budget, Mr. Speaker, because turning the economy around is so very important; and when the Republican conservative economic policies kicked in in 1995 after the Republicans took over this body, the President at the time reluctantly helped us pass some tax reductions. The economy took off and revenues went up, and we were able to balance the budget.

So I believe that it is very timely to pass a tax reduction to reduce the deficit, and I hope that our Democrat friends will join us in that as they have in the past.

The average American family has an income of \$39,000. This cut would provide them with an additional \$1,100 a year. Again, Mr. Speaker, that is significant money and something that we want to do.

I also wanted to comment on some other issues tonight, Mr. Speaker. The situation in Iraq. As I mentioned earlier today, I had the opportunity to meet with the wives whose husbands are in the third infantry division, Fort Stewart, Hunter and Savannah, Georgia. About 18,000 soldiers are deployed to the Middle East right now, a huge loss in our area in terms of our neighbors and our friends; but we cannot have soldiers in the field without the families back home.

□ 2045

We cannot have an army in the field without the supply folks back home making sure that the Army has the material they need to fight the war. And these women in the Fort Stewart-Hunter Wives Organization are just as brave as the soldiers on the front line. Indeed, they are on the emotional front line. One of the messages that I gave them was that 435 Members of Congress, Democrats, Republicans, Independents, city, rural, everybody appreciated what they were doing, staying at home.

Even if you are in Kuwait, you are often dealing with other adults, and sometimes that is easier than dealing with children back home who lose their books, who lose their shoes, who need to be picked up at 3 o'clock but do not show up until 3:20, and, in the meantime, across town you have soccer practice. And then you have other financial problems: taxes that are due, insurance payments, should you take the higher deductible, the lower deductible, do we still need collision insurance, and then there is the home mortgage renegotiation. Hey, interest rates are down. We are paying 6, 7 percent interest. Maybe we can get an adjustable rate mortgage for 2½ percent. How do I do this? Oh no, Mom is sick

and I am going to have to go back to Chicago. I'll have to arrange for the kids back home, because I have got to see what Mom's needs are. My goodness, maybe it is time to put Dad in the nursing home. Do we do this? I have to call my brother in from Seattle.

These are the day-to-day questions facing these families back home. It is very, very difficult. And I think we should at all times, whenever we are thinking about the soldiers in the field, we should also remember the families back home.

I think we should also be appreciative of the great job that groups like the USO, the United Service Organizations, the Red Cross, groups like Southern Smiles and other volunteer groups across the country who are sending care packages to these soldiers and remembering them; getting them Chapstick, getting them soap, getting them deodorant, getting them comic books and getting them Bibles.

In fact, when I went to see some of our soldiers depart, as they were getting on the plane, the Red Cross was giving out camouflage Bibles. I never had seen a camouflaged Bible before, but I know that within the binder of that book is the truth that surpasses all understanding and that everybody needs these words of comfort in times of peril.

Mr. Speaker, I also wanted to talk a little bit more about the war protesters, because we hear so many people in America who think that we are the aggressive country here. And a lot of folks are asking, well, why are we at war? The truth is so many of these war protesters do not want to hear the facts on it, but I wanted to go over some of these things.

First of all, let us remember, Saddam Hussein and Iraq have invaded their own Middle Eastern neighbors, Iran and Kuwait. They are a factor of instability in their own region of the world. Indeed, it is obvious at times like these that we do not see any of their neighbors coming to their aid. They are not jumping up and down to say "Go America," for obvious reasons; but why is it that these countries are not coming to the aid of Saddam Hussein, if he is such a great person, according to some of the war protesters?

We know for a fact that he has violated 16 U.N. treaties that have been passed since Desert Storm, and yet in the face of that, the U.N. seems very reluctant to enforce their own treaties. So again it has to come back to America, and America is the one that has to do something about it.

Saddam Hussein has not accounted for 25,000 liters of anthrax. He has not accounted for 38,000 liters of botulinum toxin. He has not accounted for 500 tons of Sarin, mustard and VX nerve agent. Item after item which the weapons inspectors have tried to put their finger on he has hidden from them. This is why we are concerned about what is going on in Iraq.

Mr. Speaker, I have been joined by my friend, the gentleman from Florida (Mr. LINCOLN DIAZ-BALART) and we are going to talk about a judicial nominee; but before we go to that, I wanted to invite my friend from Florida to jump in on the question of Iraq. I know in the great State of Florida, just like Georgia, the gentleman has a lot of anti-war protestors.

I have heard Richard Armitage say, and I believe this myself, people have the right and the duty to hold us accountable for decisions that send young men and women in harm's way. I think my colleague and I should be subjected to all the criticism that they have to offer. But I would also ask the war protestors to be intellectually honest and look at some of the facts. Because if you are just against war, maybe we should ask you this question: Have there been any wars that have benefited you? Did the Revolutionary War benefit you? Did the Civil War benefit you? Did World War II benefit you? Surely, in every case the soldiers and the political leaders, generally speaking, did not want war; and yet there were wars, terrible, horrible wars, and sometimes the benefits of those wars outweighed the tragedies. We are free today. We do not have to worry about an Adolf Hitler. We are an independent country today because our forefathers fought Great Britain.

Things like that are often the result of human conflict; yet the war protesters would rather say, well, we are just against this because we are going to kill innocent people. America is not the folks who are using humans as shields; it is Saddam Hussein who is moving people into weapons areas and targeted areas. So I think we have done almost everything we can through the U.N. I hope the U.N. will get on board. I hope Saddam Hussein will say, okay, guys, I give up. I hope that there is not a war, as I know the President and all the soldiers hope there is not a war; but there does come a time when you have to move forward.

If the gentleman would like to speak, I would be happy to yield to him.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I want to thank the gentleman from Georgia for yielding to me. I was listening to the gentleman's remarks from my office and decided to come down precisely to ask to join him for just a few minutes because I very much agreed with what he was saying.

I heard the gentleman speaking first on the President's economic plan to help create jobs in the United States. Eighty percent or more of the jobs in the United States are created by small business. And in my district, when I started to talk about the President's plan, what impressed me was the amount of small businessmen who spoke to me and told me that that provision in the President's plan to triple the amount that a small business can deduct from its taxes to make equipment purchases, in other words to expand the small business, is something

that will immediately not only inure to the benefit of those small businesses but will produce growth in those small businesses, will produce new small businesses and, thus, will produce jobs in this country.

The President's plan is multifaceted. It will create jobs in many ways. And I think it is incumbent upon us in this Congress to have a vigorous debate but to act quickly and pass that plan.

Of course, as the gentleman was saying with regard to the reality of the tyrant in Baghdad, I think the President just a few days ago, when he spoke here before us, made a very convincing case when he reminded the American people and the world that that tyrant in Baghdad has used in the past weapons of mass destruction. He not only possesses weapons of mass destruction, in the case of chemical weapons, biological weapons, but he has used those weapons against people within his own country.

Mr. KINGSTON. In fact, if the gentleman will yield, he used it on the Kurds and caused 2 million to be refugees into Turkey and Syria and other neighboring countries. Two million refugees because he used chemical weapons.

Mr. LINCOLN DIAZ-BALART of Florida. So he had obviously an obligation, after he lost the war in 1991, to rid himself of all weapons of mass destruction. He not only did not do so, but in 1998 he expelled the United Nations inspectors.

Now, the fact is that the international community then, despite the fact that it had imposed a requirement on the tyrant in Baghdad to get rid of weapons and to permit inspections of the process of getting rid of those weapons, despite the fact that he not only did not get rid of the weapons, he not only did not facilitate the process that he had to because of resolutions of the international community by way of the Security Council, he not only did not cooperate, but he expelled the inspectors.

The fact that the international community, at that time led by the United States, did nothing does not excuse the inaction. The fact is that there is a President now who does not want to see and who certainly wants to do everything in his power to prevent what has occurred repeatedly in the past decade.

In 1993, there was a terrorist attack in New York that could have been much worse. It was a direct act of urban terrorism, which happened to be at the same site of the attack that killed 3,000 people on September 11, 2001. But the attack occurred already in early 1993, another attack, and then multiple other attacks occurred afterwards in that decade. And the reality of the matter is, as we said before, the tyrant in Baghdad has used weapons of mass destruction against people within Iraq, and he has not only not gotten rid of the weapons as required by international resolutions, but even now, fac-

ing the leadership of George W. Bush and facing a new initiative by the United Nations Security Council, he still, as the President reminded us a few days ago here, has not provided any evidence whatsoever of the destruction of his weapons of mass destruction.

In addition to that, he is close, as we have seen from declassified documents from British intelligence, close to acquiring a much more dreadful and dangerous weapon of mass destruction: a nuclear weapon. So, as the gentleman from Illinois (Mr. HYDE), the distinguished chairman of the Committee on International Relations, said recently when he testified before the committee that I am honored to be a member of, the Committee on Rules, and somebody said, well, where is the smoking gun? The gentleman from Illinois said, I think what we have an obligation to do is to do everything possible to avoid a smoking city.

How will the American people and history judge us if, knowing as we do that that tyrant in Baghdad has weapons of mass destruction, and knowing as we do that he has the relations that he has with other international terrorists, we simply acquiesce in doing nothing because, for example, some of our allies wish to do nothing? No, we have a responsibility. We have a responsibility to avoid a smoking city.

Mr. KINGSTON. If the gentleman will yield, I think he has put it well. If we can go back to the pre 9-11 USA, there were tremors. As the gentleman said, in 1993, the bombing of the World Trade Center, embassy bombings two times in Africa, the *USS Cole* in Yemen. There were not just terrorist attacks but terrorist activities, and we had an opportunity to monitor it closer, but that did not happen. As is always the case when we look back, we see these red flags. And a lot of people have said, well, should we have done something? Well, now we have red flags all over the globe, and the President is doing something. Yet those same people who wanted a special independent commission to look into 9-11, now they are saying you are a warmonger because you want to do a preemptive strike.

□ 2100

You cannot have it both ways. This action against Saddam Hussein enables your family and my family to go to Main Street, to Wal-Mart on Saturday afternoon and the workplace 5 days a week and not worry, and that is what we have the right to do as Americans.

Mr. LINCOLN DIAZ-BALART of Florida. We have an obligation. I agree with the gentleman. I think the primary obligation of government is to protect the people. The reason people came together and formed government in the first place was to protect themselves from common enemies of the community. And so I think the President has not only made a case, a very impressive case, he did so here and he

has done so repeatedly, but I happen to thank God repeatedly, and obviously the American people, for having elected a leader like the American people elected in November of 2000, a leader of the United States of America and of the Free World who, despite all the pressures, despite all the difficulties, he is doing everything imaginable, everything possible to comply with the first obligation of government, which is to protect the people.

Mr. KINGSTON. Absolutely. Yet at the same time, a man of great sincerity and religious conviction who has said repeatedly he does not want war and does not take any of these decisions lightly. This is all done void of politics, void of reelection, void of election, void of polls. This President does these things for the right reason.

Mr. LINCOLN DIAZ-BALART of Florida. That is correct.

Mr. KINGSTON. I wanted to ask the gentleman. The gentleman is from Florida. The gentleman has been a leader in so many different issues and an active member of the Committee on Rules and someone who has certainly been very active on the question of American relations with Cuba. I do not want to touch base on Cuba, but I know that your brother talked to the President about it this weekend, and I thought the President, as usual, approached the whole question not with politics, but with conviction.

Mr. LINCOLN DIAZ-BALART of Florida. I appreciate the gentleman from Georgia bringing that subject up because while we are on the subject of terrorist states, it is important to remind our colleagues and the American people that there is one such terrorist state 90 miles from the shores of the United States, a terrorist state that harbors multiple terrorist organizations from throughout the world.

In this hemisphere we are facing extraordinary tragedies on a daily basis, especially in the wonderful country of Colombia whose people elected a president just months ago, and they have come together and they are fighting heroically against terrorism. Yet those terrorist groups that are attacking on a daily basis the people in Colombia receive not only orientation but guidance and, in effect, are in all sorts of dealings with the tyrant in Havana.

The reality of the matter is that the tyrant in Havana harbors terrorists not only from Colombia, from throughout the Western Hemisphere, from Spain, the Basque ETA terrorists, they have a base in Cuba. Just recently terrorists from the IRA Irish organization based in Cuba were arrested in Colombia for providing training to the Colombian FARC terrorists in urban warfare. We have seen recently a dreadful, horrible increase in the urban bloodshed, in the urban terrorism, in the bloodshed caused by the urban terrorism. Terrorists have trained those Colombian terrorists, terrorists based in Cuba. There

is this entire network that finds harbor, of terrorism, international terrorism, that finds safe harbor in Cuba. And that is a reality.

I was very pleased with the President's answer, because some people get confused when we deal with, for example, the trade ban on Communist Cuba and we say, we insist on three steps be taken in Cuba before there is a normalization of relations with the United States: Legalization of all political parties, labor unions, the press; liberation of all political prisoners; and the scheduling of free and fair elections with international supervision. When those steps happen, there will be normalization, and until those steps happen, there will not be.

President Bush is very clear and from the very beginning has made it very clear that he will not, and he has said so, he will veto any attempts if he has to to normalize relations until and unless those steps are taken, because the Cuban people, like the rest of the world, deserve freedom as well.

Mr. KINGSTON. Right now we have some limited trade. We can trade with them, but it has to be on a cash basis.

Mr. LINCOLN DIAZ-BALART of Florida. He has got to pay.

Mr. KINGSTON. That is for food and for medicine?

Mr. LINCOLN DIAZ-BALART of Florida. Yes.

Mr. KINGSTON. But there is a pressure to put tourism dollars in it. We have kind of drawn the line, this Congress has.

Mr. LINCOLN DIAZ-BALART of Florida. What the dictatorship in Cuba most wants is the American tourist dollar, because the American tourist dollar, which would be billions even in the first year, would provide the repressive machinery obviously with a boost like it has not had in decades.

And the apartheid system that exists there where, for example, those tourist centers and the hospitals and the wonderful health centers, they are for people with foreign currency, with dollars, tourists, and of course the hierarchy of the dictatorship. The Cuban people have no access to those things.

But to maintain that system, obviously the dictatorship seeks the infusion of hard currency. The way in which the dictatorship could have the largest infusion of hard currency would be with the American tourist dollar.

What we are saying is, and President Bush agrees, liberate the political prisoners, legalize political parties, labor unions, the press, and schedule free elections, and then there will be normalization. Then you can have your tourist dollars. Not before. Not when the tourist dollars will inure to the benefit of the repressive machinery.

The President, and he was very clear again at the retreat in West Virginia this weekend, he made it clear that, number one, the policy is clearly rooted in a purpose, to contribute to a democratic transition from a terrorist regime 90 miles away. And also some

people and the President was very explicit on this, some people say, well, we have trade with China, why not with Cuba? The President was not only explicit, but went at length in explaining the differences.

There has been a capitalist resurgence in China with an entrepreneurial class and many differences and some decentralization of power, many differences from the Cuban situation. So even though I happen to have been and continue to be an opponent of business as usual with Communist China, I agree with the President that there are substantial differences. I think it was very appropriate for the President to have brought out and demonstrated once again his clarity, not only of vision but his grasp of the details with regard to important policy matters.

Mr. Speaker, I would like to, if I may, I know the gentleman from Georgia has been one of the most interested Members of this House with regard to the need and the appropriateness to recognize the great accomplishments of the Hispanic community in the United States. I not only commend you for that, but thank you for your solidarity and always your sensitivity and your compassion to the Hispanics in this country and to Hispanic issues.

Mr. KINGSTON. One of the great parts of my childhood growing up in Athens, Georgia, it was not so great for them particularly at the time was when so many Cubans fled Castro and Athens, Georgia, was one of the towns that they arrived in. I was raised with Maria Saladríguez and Rosa Chavez and all kinds of kids that came in the 10th grade and assimilated fairly quickly. But it was interesting, as we went to their house, they were still speaking Spanish; and their parents, who often had been physicians and professional businesspeople in Cuba, in Havana, were now reduced to working in laundromats and doing manual labor in America.

I actually sold my house to a guy named Roberto Casillo in Savannah, Georgia, and his family was among that crowd. His dad had been a doctor over there and it did not transfer. But all three of his sons became physicians. They are all practicing in Georgia.

What I have appreciated about the people who had to leave Cuba, who love Cuba to this day but cannot stand Castro, love America even more and have embraced America with this big bear hug and taken on all rights and privileges that, wait a minute, this is the land of the free, the land of opportunity.

Mr. LINCOLN DIAZ-BALART of Florida. How are we going to feel about a nation, about a country that, for example, in my case when I also was a refugee child like those friends that you talked about that you grew up with, and I had to leave with my family as a refugee when I was 4 years old and arrived in this country. How are we to feel about a nation that not only permits us to go to schools in freedom

and to worship in the churches of our choice and to associate with whomever we wish to associate in freedom, but that has, through the ultimate generosity of spirit of the American people, permitted a refugee child who arrived at age 4 to be elected to the Congress of the United States and along with our other colleagues participate in the process of making laws for the American people? Only a country of ultimate spiritual greatness and generosity permits something like that.

And so that is something that not only we recognize as people who have come, in my case I know there are other Members of this House who also immigrated to this great land, not only do we recognize it, but we are reminded of it each and every day, the compassion of the American people, the greatness of the American people, the generosity of spirit of the American people has no parallel in the world.

That is why it hurts us so deeply when we see in other places of the world, now, for example, when the President is trying to lead an international coalition to disarm a tyrant who has weapons of mass destruction and is threatening the world, when we see allies, in some cases allies who had American GIs go and liberate them twice; and it takes going to the cemeteries in France and in Belgium and throughout Europe to see the heroism and the greatness of the American people, that twice in the 20th century liberated Europe, to see allies putting up now the roadblocks and the difficulties in the path of a President who wants to rid those allies' peoples, of the threat of weapons of mass destruction from a tyrant in Baghdad. It hurts.

Mr. KINGSTON. I wanted to ask the gentleman, you do not really talk about your story so much, but I think it is important. A friend of mine back in Savannah named Herman Cranman wrote a book called "A Measure of Life." In it, he talks about his World War II POW experience. He said he went into World War II as really a naive, young, idealistic kid and grew, of course, during the experience to see otherwise, but never lost his idealism.

But when he was captured, he said something very profound. He said as a born American living with freedom, freedom to me was like the water coming out of the tap in my kitchen. I didn't think anything of it until I turned on the tap and it wasn't there. When he was in a German POW camp, he found out what freedom was. What I have seen in you and in your brother and in Ileana Ros-Lehtinen is that you appreciate freedom every day, which we native-born Americans do not quite have the full view of so often. Yet I think in many cases people do realize it.

But here is what I want to know. Tell me about coming over here at 4. What were your parents doing in Cuba? How did you get out? Because I think people would be interested in that.

Mr. LINCOLN DIAZ-BALART of Florida. It is obviously an interesting

story. It obviously is personal, and I think at some point it might be appropriate to talk about it, but I do not think necessarily it is the time to do so now.

Suffice it to say that those examples that you talked about, the people whom you met and my family and all who come from this particular vantage point of a country that was lost to a totalitarian tyranny and had the opportunity to come here and live day in and day out, the miracle of freedom, it is true what you have said that we not only do not take it for granted, but that there is not one day that we are not cognizant of the miracle of freedom.

With your indulgence, I would like to point out a story about a young, still a young man who is also Hispanic. He did not come from Cuba. He came from Honduras.

Mr. KINGSTON. But he is still an immigrant and came over here.

Mr. LINCOLN DIAZ-BALART of Florida. That is correct. He came when he was 17 years old. Like so many of us, obviously the dream of his family, and his dream as well, was to be able to live in this marvelous country of freedom and to have a chance to work hard, to have a chance to work hard and live a dignified life that he, his family and all Americans could be proud of.

□ 2115

And this young man came over at age 17, did not speak English, got to work immediately, though, worked so hard, was such a good student that he was able to go to Columbia University, obviously on a scholarship. His parents did not have the money to send him. He worked so hard in Columbia. He got extraordinarily good grades. He got a scholarship to go to Harvard Law School and there not only did he do well, he became editor of the law review. I am a lawyer. The gentleman from Georgia (Mr. KINGSTON) is a lawyer too, is he not?

Mr. KINGSTON. No, I am not. But I do know that he was magna cum laude in Harvard and in Columbia.

Mr. LINCOLN DIAZ-BALART of Florida. The gentleman knows what it means to be law review editor.

Mr. KINGSTON. Absolutely.

Mr. LINCOLN DIAZ-BALART of Florida. The law review editor, only the most superb legal minds in law school are able to become, in effect, the leaders at the law review, the editor of the law review. And this young man who did not speak English at 17, by the time he was in law school was editor of the law review.

Anyway, he graduated from law school, was such a talented jurist that he was able to become a law clerk for a justice of the Supreme Court of the United States of America. And later he became an associate solicitor general, representing the Government of the United States before the Supreme Court of the United States, arguing cases. Obviously only very important

cases get heard by the Supreme Court, and obviously only someone of extraordinary talent and ability can argue on behalf of the Government of the United States as an associate solicitor general before the Supreme Court. Fifteen cases he argued before the Supreme Court.

He is an extraordinary symbol of success of what is referred to as the American dream. But I know it must seem hard to believe, but the Democrats have now said that they are going to stop in the Senate President Bush's nomination of this jurist, of this extraordinary young man, President Bush's nomination of this man to be in the second most important court, a member of the second most important court in the United States, the court of appeals here in the District of Columbia. His name is Miguel Estrada, and now the Democrats are saying that because he is not a leftist, because he does not have a record of leftist, extremist, so-called accomplishments, whatever they are supposed to be, that the Senate is not going to confirm him.

In the long history of the Republic, in that second most important court in the United States, the District of Columbia's Federal Court of Appeals, there has never been a Hispanic nominated by a President of the United States just like there has never been a Hispanic nominated by a President of the United States to the most important court, to the Supreme Court of the land. This man with the extraordinary record that he has where even the American Bar Association, which cannot be called a conservative organization under any measuring ability, the American Bar Association says that Miguel Estrada is very, very competent, that he is superbly qualified.

Mr. KINGSTON. If the gentleman will yield, I just want to underscore that as I understand it, Mr. Estrada has argued 15 cases before the Supreme Court all before the age of 40. One of them was pro bono for a death row inmate. He received unanimous "well qualified" ratings from the American Bar Association. That is their highest rating. He has worked in the Justice Department both under Democrat and Republican administrations and has demonstrated a commitment to uphold the integrity of the law and dedication to public service.

Estrada has received an outstanding rating in every performance category in his years in service in the solicitor general's office. And Clinton's solicitor general called him "an extraordinary legal talent" and genuinely compassionate. What is scary, if we compare his qualifications, because the gentleman from Florida has mentioned that they never had a Hispanic on that court, it is really to me after all we have been talking about freedom in America that we have to bring in this question of race, but it does seem there are those in the Senate against Mr. Estrada that may be aware of that. Maybe it is as simple as they do not

want the Republicans to nominate somebody who is Hispanic. They want to have the lock on it. Maybe that is the idea; I do not know.

But I do know this, that if we compare Miguel Estrada's qualification with Merrick Garland, Garland was 41 when he was nominated, 44 and 41. They both were Phi Beta Kappa. They both graduated magna cum laude from Harvard. They both did the Harvard Law Review as editor. They both have served as law clerks for the U.S. Court of Appeals Second Circuit. They were both law clerks for the U.S. Supreme Court. They have both done 7 years private practice. Mr. Estrada was 2 years with the Assistant U.S. Attorney; Mr. Garland, 3 years. They were both with the U.S. Justice Department, in Estrada's case, 1992 to 1997; in Garland's case, 1993 to 1997. They both had bipartisan support. Garland, 100 days before the Senate approved his nomination. Estrada, 631. The only difference in this category is race, 631 days compared to 100 days.

Mr. LINCOLN DIAZ-BALART of Florida. One of the ways in which the Democrats are objecting to Miguel Estrada's nomination, they are saying we want to see the internal memoranda that Mr. Estrada wrote when he was an assistant solicitor general. We want to see the internal memoranda because, number one, we want to see all the internal writings and, number two, we do not like Mr. Estrada because he is not a judge already. Those are the two main arguments that are being used against Mr. Estrada by the Democrats.

Let us analyze those two roadblocks that are being put down by the Democrats to try to stop Miguel Estrada's confirmation. There have been 67 cases approved by the Senate of nominees to the United States Courts of Appeals who previously worked at the Department of Justice. In none of the 67 cases have the internal memoranda of those judges, when they worked for the Department of Justice like Mr. Estrada, who was an assistant solicitor general, in none of the 67 cases have the internal memoranda been made public. But in the case of Miguel Estrada, he is the only one that the Democrats are saying we want to see the internal memoranda.

I am the first one to say that Miguel Estrada deserves to be a judge of the appellate court not because he is Hispanic but rather I am also the first one to say that he deserves to be a judge and he deserves not to be stopped because he is a Hispanic. And we see that in 67 other cases they have not made public the internal memoranda and that has not stopped the nomination, but in the case of Miguel Estrada that is an impediment. And another thing. The thing about he is not a judge now. Precisely. There has not been one Hispanic named before President Bush named Miguel Estrada to the appellate court of the District of Columbia in the history of the Republic. How do you expect Hispanics to come before the Senate already having been judges if this

is the first nomination of a judge by a President of the United States who is Hispanic to the second most important court? A glaring problem is the lack of Hispanic judges until now. President Bush is trying to remedy that; and the Democrats are placing roadblocks, because he is Hispanic, in the path of a decent and honorable man with a superb record.

Mr. KINGSTON. If the gentleman would yield, this obviously never was a problem until a Hispanic came before the Democratic Senators. The reason I say that is five of the eight judges serving in the D.C. Circuit had no prior judicial experience. That includes two of President Clinton's nominees, Mr. Garland, whom we talked about earlier whose justice record was quite similar to Mr. Estrada's, and David Tatel. It also includes Judge Harry Edwards, who was appointed by President Carter in 1980, and Edwards was younger than Estrada. Five out of eight of them did not have to have judicial experience, but suddenly a Hispanic comes along and this is a big issue. Another thing that is interesting is that on the Supreme Court now, two of the judges, Byron White, nominated by President Kennedy, and William Rehnquist, the current Chief Justice, had no prior judicial experience when appointed to the Supreme Court, but now it is a different program, a different standard.

The other thing that is interesting is that the Democrats who are trying to torpedo Mr. Estrada also will claim he does not have Hispanic support, which I would say, number one, this is not a poll, this is not a popularity contest; but, number two, he actually has the endorsement of the League of the United Latin American Citizens, which is the country's oldest Hispanic civil rights organization; the Hispanic National Bar Association; the U.S. Hispanic Chamber of Commerce; the Hispanic Business Roundtable; the Latino Coalition; and many other Latino groups. They are all supporting him, and yet that does not count, I guess.

Mr. LINCOLN DIAZ-BALART of Florida. Exactly. Actually, I would agree with the gentleman that once one analyzes, if one has a chance to go through the road blocks and analyze them, one realizes that they are farcical. But it is really sad here because we are dealing with a life of a human being. We are not dealing with a farce. We are dealing with the life of a real human being who came to this country at age 17 to work very hard, and he has worked very hard and he makes all Americans proud. And if I may, I think it is relevant to point out, by the way, when Mr. Estrada was Solicitor General, most of the years that he was Solicitor General was under a Democratic administration, the administration of President Clinton; and let us hear what Mr. Clinton's Solicitor General has to say about Mr. Estrada. This is Seth Waxman, the former Solicitor General under President Clinton: "During the time that Mr. Estrada and I worked to-

gether, he was a model of professionalism and competence. I greatly enjoyed working with Miguel, profited from our interactions, and was genuinely sorry when he decided to leave the office in favor of private practice. I have great respect both for Mr. Estrada's intellect and for his integrity. In no way did I ever discern that the recommendations Mr. Estrada made or the views he propounded were colored in any way by his personal views or indeed that they reflected anything other than the long-term interests of the United States." That is Clinton's Solicitor General.

If I may read the comments of Ronald Klain, the former counselor to Vice President Gore: "Miguel Estrada is a person of outstanding character, tremendous intellect, and with a deep commitment to the faithful application of precedent. Miguel will rule as a judge justly toward all, without showing favor to any group or individual. The challenges he has overcome in his life have made him genuinely compassionate, genuinely concerned for others, and genuinely divided to helping those in need."

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My dear friend, the Democrats have chosen the wrong case upon which to make a stand in opposition. They chose the wrong case when they placed roadblocks before a young man who arrived at 17 from Honduras and got here to work hard and has worked hard and made all Americans proud. They have chosen the wrong case when they oppose an immigrant, a Hispanic immigrant, who arrived here and who has made his family and all Hispanics proud. They have chosen the wrong case.

Mr. KINGSTON. I wonder, because we talked about immigrant patriotism before, maybe their problem, after all, is not that he is Hispanic. Maybe their problem is the fact that he is an immigrant and therefore more pro-American than the average person, and they cannot stand the fact of a patriotic, God-fearing family and country-first American sitting on the judicial bench, which, in my opinion, we need a heck of a lot more of.

I never met Mr. Estrada, but that is what he sounds like. If he is anything like the Diaz-Balart brothers, I know he is.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I share another thing with the gentleman, and I have not met him either. What has incensed me and what has bothered me to the core is that people on the other side of the aisle are accusing him of not being Hispanic enough. When I heard those accusations and I read his biography, because when I started hearing the accusations I started studying the biography and the work of the life of this immigrant, Miguel Estrada, it has bothered me to the core that they would have chosen to make a political case out of a man who arrived here as

a very young man and has done nothing more but in an honest and day-in-and-day-out intense manner worked hard to honor his family and his country. It is extremely bothersome.

I think the American people who have had the opportunity to hear us tonight, I am sure, must be bothered as well. What I would urge is that since in these upcoming hours the other body is going to have that decision to make, I would urge that they not make the serious mistake, because of petty politics, to stop, in effect, the career of a brilliant young man who has done nothing but work hard to honor his family, to honor all Hispanics, to honor all immigrants, and, yes, to honor the United States of America.

I thank the gentleman very much for the opportunity to have been able to join him.

Mr. KINGSTON. Mr. Speaker, I thank the gentleman, and I have to ask the gentleman, since he kind of dodged my early solicitation for personal biographical information, how old was he when he was first elected to Congress?

Mr. LINCOLN DIAZ-BALART of Florida. I was confused, because the gentleman said I dodged his question when he asked about my personal background. By the way, I am very proud of my family's background. In no way did I want to seem when I did not want to get into the family background today that I am not proud of it. I am, as I am proud of all Cuban Americans and all Hispanics and all immigrants in this country and all Americans. But I did not want to get into that, because I wanted to focus tonight on Miguel Estrada.

Mr. KINGSTON. The reason why I asked, when the gentleman and I came to Congress we were both a little bit younger. But the reality is here is a guy 41 years old. He is a star, a rising star. Maybe the Democrats think that they can put a notch on their holster if they shoot this guy down and stop him in his tracks.

I hope they do not. I hope he continues to rise, not because he is young, not because he is a Hispanic, not because he is an immigrant, but because he is pro-American and he wants to do what is right, and that is what we need on our judicial benches all over America.

Mr. LINCOLN DIAZ-BALART of Florida. I agree with the gentleman and commend him on his hard work on so many issues, day in and day out. The gentleman from Georgia is an honor to this Congress, his district and constituents, and to all of the American people.

Mr. KINGSTON. I thank the gentleman, and thank him for everything he does.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. BARRETT of South Carolina). The Chair will remind all Members that it is not